

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Todd C. Sacktor **Examiner:** Michael D. Pak
Serial No.: 09/839,073 **Art Unit:** 1646
Filed: April 20, 2001 **Docket:** 13492
For: A MEMORY ENHANCING PROTEIN **Dated:** January 20, 2009

Confirmation No.: 2721

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website.

Dated: January 20, 2009



Peter I. Bernstein

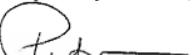
1. United States Patent Application Publication No. 2004/0247584 A1, published December 9, 2004 to Sacktor; and
2. United States Patent Application Publication No. 2005/0070565 A1, published March 31, 2005 to Arnsten et al.

The references were cited in an International Search Report and Written Opinion dated December 18, 2008 received from the International Searching Authority. Copies of the above-cited references are not required under 37 C.F.R. §§1.98 (a)(2)(i) and (ii). Copies of the Search Report and Written Opinion are enclosed. The relevance of the above-cited references has been described in the Search Report. It is further respectfully submitted that the other reference cited in the Search Report, namely, Ling et al., *Nature Neuroscience* 5(4): 295-296 (2002), was previously cited in Applicant's IDS filed on February 11, 2005.

The undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Further, inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Respectfully submitted,



Peter I. Bernstein
Registration No. 43,497

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STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)

Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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Dated: January 20, 2009



Peter I. Bernstein

Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. §1.704.

Respectfully submitted,



Peter I. Bernstein
Registration No. 43,497

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